

PUBLIC HEARING  
SITE REVIEW ORDINANCE

JUNE 16, 1988

Meeting called to order at 7:43.

Present were Roland Denby, John Roberts, Town Planner, Andrew Timmis, and Chairman Douglas Foglio.

Written comments received and to be entered into the record. See attached copy.

See attached changes as per request of those in attendance at the Public Hearing. These changes to be reviewed by the attorney and noted for the Town Meeting scheduled for June 21, 1988.

Discussion concerning the review process of more than one duplex being built on lots. To note in the review more than one duplex or single house would require site plan review. Commercial buildings, would not come under review need to make notations to include.

## M E M O R A N D U M

TO: Steve Kasprzak

FROM: Jim Van Wyck

DATE: June 15, 1988

SUBJECT: Review of Proposed Waterboro  
Site Plan Review Ordinance

I have reviewed the proposed Waterboro Site Plan Review Ordinance and have the following comments:

1. The definition of which projects require site plan review leaves a loophole for large single-use facilities such as industrial or commercial buildings. As written, if these types of projects were a single use with no division of the building or site, they would not require site plan or subdivision review.

I have attached excerpts of the Kennebunkport and Gorham Site Plan Review Ordinances. You will note that these require review for any conditional use and any other building, expansion or change of use. The only exceptions are for single family dwellings and minor expansions. These may seem too comprehensive, but it is a much cleaner definition. I think the proposed Waterboro Ordinance is still rooted in the subdivision philosophy with its use of 3 or more units as a determining criteria. In my opinion, this should have nothing to do with whether a plan requires site plan review.

In addition to this, the ordinance definition does not exempt single family subdivisions. It appears to me that any subdivision would require both subdivision and site plan review and approval. I don't think that is what the planning board intended to accomplish.

2. It seems excessive to require a hydrogeologic study on all site plan reviews. It is quite possible that many projects going through site plan review could have septic disposal systems for only one or two bathrooms and have less potential impact than a single family home. I suggest requiring a study if the septic system (or systems if more than 1 on a site) have a design flow in excess of 2,000 gal. or if the effluent is predominantly made up of other than typical septic waste. This 2,000 gal. figure is currently the point at which the state requires an engineered system.

JVW/wl  
Enclosure

## I. PROCEDURE

- A. Site Plan Review and Approval by the Planning Board shall be required before issuance of a building permit or certificate of occupancy for any building or structure; including but not limited to: office buildings; multi-family residences; shopping centers; mobile home parks; travel trailer parks; and commercial complexes; except as provided in Subparagraph (B).
- B.
- 2. Subdivisions, single family residence(s) and single duplex house(s).
- D.
- 9. The applicant shall, in addition, submit for any project utilizing an on site septic disposal system if the septic system has a design system flow in excess of 800 gallons or if predominantly made up of nontypical septic waste, a hydrogeologic impact study prepared by a State of Maine Certified Geologist or a Registered Professional Engineer with experience in hydrogeology. This study shall contain, at a minimum, the following components:
  - F. The Planning Office Secretary shall within seven (7) working days after receiving a Site Review packet from the code Enforcement Officer, identify the next available appointment before the Planning Board, schedule the application for Planning Board Review; and notify the applicant; the Board of Selectmen; the Chief of the Fire Department; the Chairmen of all Town Committees.
  - G. Owners of abutting property shall be notified by the applicant, by certified mail of the date, time and purpose of that appointment.

## II. SITE PLAN REVIEW STANDARDS

### A.

- 1. The proposed use does not meet the definitions or requirements set forth in the Zoning Ordinance;
- 2. The proposed use will create fire safety hazards by not providing adequate access to the site, or to the buildings on the site, for emergency vehicles,\*or adequate dry hydrants and access to the site;

\*Dry hydrants shall be required in off site locations if necessary.

8. The design of the site will result in significant flood hazards or flood damage or is not in conformance with applicable flood hazard protection requirements; or storm water detention pond(s) are not adequate;
13. Adequate provision has not been made for the transportation, storage and disposal of hazardous substances and materials as defined by state law and Waterboro Hazardous Waste Ordinance;
15. The project will increase nitrate nitrogen concentrations in surface or groundwater at the property line of the site in excess of 5 mg/l. If groundwater contains contaminants in excess of the primary drinking water standards and the project is to be served by on site groundwater supplies, the applicant shall demonstrate how water quality will be improved or treated to meet applicable standards.

### III. ADMINISTRATION

- H. No certificate of Occupancy shall be issued until all improvements shown on site plan are installed or a sufficient Performance Guarantee has been posted for improvements not yet completed (including but not limited to grading, drainage, paving, planting, landscaping, structures, buildings or single duplex homes in permitted accessory uses set forth by site plan review.